UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

LINDA JACKIE CALDWELL,)	
Plaintiff, v. MICHAEL J. ASTRUE,))
))	No. 3:08-CV-513 (Phillips/Shirley)
COMMISSIONER OF SOCIAL SECURITY,)	
Defendant.)	

MEMORANDUM OPINION

This Social Security appeal is before the Court on the report and recommendation ("R&R") filed by United States Magistrate Judge C. Clifford Shirley [Doc. 18]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. See 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the Court is in complete agreement with the magistrate judge's conclusion that plaintiff's Motion for Summary Judgment [Doc. 11] be denied, and that defendant Commissioner's Motion for Summary Judgment [Doc. 15] be granted. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 18] under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

It is **ORDERED**, for the reasons stated in the R&R [Doc. 18], that plaintiff's Motion for Summary Judgment [Doc. 11] is **DENIED**, and that defendant Commissioner's Motion for Summary Judgment [Doc. 15] is **GRANTED**. Accordingly, the Commissioner's decision denying plaintiff's application for benefits under the Social Security Act is **AFFIRMED**, and

this case is **DISMISSED.**

ENTER:

s/ Thomas W. Phillips
United States District Judge

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